

**IN THE UNITED STATES DISTRICT COURT
OF THE DISTRICT OF COLUMBIA**

BUZZFEED INC.,
111 East 18th Street, 13th Floor
New York, NY 10003

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,
950 Pennsylvania Ave NW
Washington, D.C. 20530

Defendant.

Case No. 1:19-cv-3194

COMPLAINT

1. Plaintiff, BUZZFEED INC., brings this Freedom of Information Act suit to force Defendant U.S. DEPARTMENT OF JUSTICE to produce records regarding *U.S. v. Khanani* (S.D. Fla. 2017), a case in which infamous money launderer Altaf Khanani was charged with fourteen counts of laundering money for terrorist groups and drug traffickers, but allowed to plead guilty to a single count.

PARTIES

2. Plaintiff BUZZFEED INC. is a member of the media and made the FOIA request at issue in this case.

3. Defendant U.S. DEPARTMENT OF JUSTICE (“DOJ”) is a federal agency subject to the Freedom of Information Act, 5 U.S.C. § 552.

JURISDICTION AND VENUE

4. This case is brought under 5 U.S.C. § 552(a)(4)(B) and presents a federal question conferring jurisdiction on this Court. *See* 28 U.S.C. § 1331.

5. Venue is proper under 5 U.S.C. § 552(a)(4)(B).

BACKGROUND

6. Altaf Khanani is a convicted money launderer who was involved in moving money for terrorist groups and criminal gangs.

7. Khanani's various criminal activities and his trial have been reported by international and national news outlets throughout the years. Linton Besser, *Catching the Money Man*, Australian Broadcasting Corporation (February 15, 2018), <https://www.abc.net.au/news/2018-02-05/the-billion-dollar-bust/9383890>. Khurram Husain, *Khanani Gets 68 Months in U.S. Prison*, Dawn, (April 4, 2017), <https://www.dawn.com/news/1324717>. Samuel Rubinfeld, *U.S. Puts Sanctions on Money-Laundering Organization*, The Washington Post, (November 12, 2015), <https://blogs.wsj.com/riskandcompliance/2015/11/12/u-s-puts-sanctions-on-money-laundering-organization/>.

8. In November 2015, the U.S. Department of Treasury's Office of Foreign Assets Control sanctioned the Khanani Money Laundering Organization (MLO).

9. Acting Under Secretary for Terrorism and Financial Intelligence Adam J. Szubin claimed that "[t]he Khanani Money Laundering Organization exploits its relationships with financial institutions to funnel billions of dollars across the globe on behalf of terrorists, drug traffickers, and criminal organizations." Press Release, U.S. Dep't of Treasury, Treasury Sanctions the Khanani Money Laundering Organization, (November 12, 2015), <https://www.treasury.gov/press-center/press-releases/Pages/jl0265.aspx>.

10. In September 2015, Khanani was arrested by the U.S. Drug Enforcement Administration (DEA).

11. DEA Miami Field Division Special Agent in Charge, Adolphus P Wright, stated, "The DEA's arrest of Khanani, who is a major international money launderer for multiple

transactional criminal organizations as well as designated terrorist groups across the globe, and the Treasury's designation of his money laundering organizations today, reiterates the U.S. government's commitment to targeting the world's top criminals, including those who blur the line between drug trafficking, terrorism, and organized crime." *Id.*

12. Khanani was initially charged with money laundering in a 14-count indictment, each carrying a 20-year jail term with a \$250,000 fine.

13. The government agreed to a plea deal with Khanani for a single count.

JULY 25, 2019, FOIA REQUEST

14. On July 25, 2019, BUZZFEED submitted a FOIA request to Executive Office of U.S. Attorneys, a component of DOJ, for a copy of the case file for *U.S. v. Khanani*, (S.D. Fla. 2017). BUZZFEED also sought "any and all communications, including but not limited to emails, letters, memoranda (in draft and final form), that former United States Attorneys for the Southern District of Florida Benjamin G. Greenberg and Wifredo A. Ferrer sent, received, signed, or wrote, relating or referring to the case" as well as "any and all communications, including but not limited to emails, letters, memoranda (in draft and final form), SDFL Assistant United States Attorneys Bruce Brown, Paul Schwartz, and Richard O.I. Brown sent, received, signed, wrote, relating or referring to the Khanani case." Exhibit A.

15. On August 5, 2019, DOJ acknowledged receipt of the request and assigned tracking number 2019-003947 to the matter. Exhibit B.

16. In the same letter, DOJ denied the request in its entirety claiming that "records pertaining to a third party generally cannot be released absent express authorization and consent of the third party." 5 U.S.C. § 552a. Exhibit B.

17. DOJ added that the remaining records are also "generally exempt" from disclosure pursuant to 5 U.S.C. § 552(b)(6), and b(7)(C). Exhibit B.

18. On August 12, 2019, BUZZFEED appealed the denial of its FOIA request. Exhibit C.

19. On September 17, 2019, DOJ assigned reference number DOJ-AP-2019-006316 to the matter and affirmed the denial. Exhibit D.

20. As the date of this filing, DOJ has produced no records responsive to the request.

21. Khanani's alleged criminal activities are already publicly known, which severely limits whatever privacy interests he may have.

22. There is a significant over-riding public interest in understanding how DOJ prosecuted the case.

COUNT I – DOJ'S FOIA VIOLATION

23. The above paragraphs are incorporated herein.

24. DOJ is a federal agency and is subject to FOIA.

25. The requested records are not exempt under FOIA.

26. DOJ has refused to produce the requested materials.

WHEREFORE, BUZZFEED asks the Court to:

- i. declare that Defendant have violated FOIA;
- ii. order Defendant to conduct a reasonable search for records and to produce the requested records;
- iii. enjoin Defendant from withholding non-exempt public records under FOIA;
- iv. award Plaintiff attorneys' fees and costs;
- v. award such other relief the Court considers appropriate.

Dated: October 24, 2019

RESPECTFULLY SUBMITTED,

/s/ Matthew V. Topic

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